

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOHN F. McCAUL, JR.,

Defendant.

8:06CR122

TRIAL ORDER

The defendant has filed a Motion to Continue Trial [15]. The trial date was set a month ago, the motion is untimely, and the motion does not explain why counsel need additional time to prepare for trial. Notwithstanding the defendant's waiver of speedy trial [14],

IT IS ORDERED that defendant's motion to continue trial [15] is denied. Pursuant to NECrimR 57.2, a party may appeal this order by filing a "Statement of Appeal of Magistrate Judge's Order."

DATED July 7, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge